

MSA SC 5463-3-5

Henry M Bennett - by
his father Andrew M
Bennett

Col. Somers - commanding
2^d Maryland Regiment
+ Capt Robert Harris -
Company I.

Habeas Corpus

The United States of America
District of Maryland, to wit

To Col Somers Commanding Second Maryland
Regiment and Capt Robert Harris of the Company
D - Freterry

you are hereby enjoined and
commanded to be and appear before
the District Court of the United
States in and for the Maryland District
at the United States Court Room on Monday the
6th day of January instant / and that you have
with you the body of Henry M Bennett now
in your custody, and that you certify and make
known the day and Cause of the Capture and
detention of the said Henry M Bennett, and that
you then and there do submit to and receive
whatsoever the said Court shall determine upon
concerning you in this behalf, according to law,
and have you then and there this writ.
Witness the Honorable William F Giles, Judge
of our said District Court the first Tuesday in
December in the year of our Lord one thousand
eight hundred and sixty one,
Given 3rd January 1862.

Wm. Spicer Clk
J. T. C. 1

I Herely Certify that
Henry M. Bennett
Was Enrolled in the
United States Service
Apr 17th 1861. by Capt
Robert Harris
Aged 18.

and that he both
partly here in Capt
in obedience to
the aforesaid unit.

Capt Robert Harris

The party Henry M.
Bennett is discharged
from the Service of the
United States, as he
was enlisted when he
was not eighteen years
of age - The cost of his
passage to be paid
by the petitioner and the
clothing furnished to the
said Service by the United
States, to be returned to
them -
W. L. L. L. L.
7th Jan. 1862

Henry M Bennett
by his father Andrew M
Bennett

Col. Somers - the
officer in command of
the 2^d Regiment, Maryland
Volunteers of the United
States Army

Habeas Corpus.

A. S. R

The United States of America
District of Maryland & wit-
do Col Somers of the Office in Command
of the 2^d Regiment Maryland Volunteers of
the United States Army
you are hereby enjoined and
Com manded to be and appear
before the District Court of the
United States in and for the Maryland
District at the United States Court
Room in the City of Baltimore on Tuesday the 7th
day of January instant, and that you have
with you the body of Henry M ~~Watts~~ Bennett
now in your custody, and that you certify
and make known the day and Cause of the
Capture and detention of the said Henry M
Bennett, and that you then and there do
submit to and receive whatsoever the said Court
shall determine upon you concerning you in
this behalf, according to law, and have you
then and there this writ. Witness the Honorable
William J Gales Judge of our said District
Court the first Tuesday in December in the
Year of our Lord one thousand eight hundred
and Sixty one.
Spued 6th Jan'y 1862.

Wm. Spriggs
Att'y & C.

Henry M Bennett

Col Somers - of the
2^d Regiment Maryland
Volunteers. U. S. A

Peterboro Subp

Michael Rowards

ex Police Officer

Henry M Harmon

22 - Light Street

Summoned

M Bonifant

U S Marshal

A S R

To the Marshal Michael Rowanke and Henry
M Harman to testify to the District Court on
Tuesday morning 7th Inst at 10 o'clock for
Henry M Bennett against Col Somers commanding
2 Regiment Maryland Volunteers -
The Spices of

and that you know my letter
put over in the present is
the case my request is

attached to the

known to in your
Court Dec 31st 1861
~~the~~

And thirty thirty
day for return

Application for
writ of
Habeas Corpus

Bennett

I am the writ of
Habeas Corpus in
this case returnable
before me on Monday
morning at 10 o'clock in
the District Court
New - William F. Field

Filed 3 Jan'y 1862
Spent 3 Jan'y 1862 returnable
on Monday 6 Jan'y 1862,
non returnable tomorrow
at 10 o'clock

To the Hon^{ble} Wm. H. Giles Judge of the
U. S. District Court for the Maryland
District,

The Petition of Andrew M
Bennett of Anne Arundel County and state
of Maryland respectfully states,

That he is the father of
Henry M. Bennett. That said Henry
M. Bennett is a minor under 21 years
of age, being born May 31st, 1844. That
said minor ~~has~~ enlisted as a soldier
in the 2nd Maryland Regiment Company
No. 1. That said Regiment is commanded
by Col. Somers. That said Company
is commanded by Capt. Robert Burns.
That the said enlistment was and is
without the approbation, approval
or consent of your Petitioner. That
the said minor Henry M. Bennett is now
by the said Colonel and Captain un-
justly and illegally held and detained
by virtue of said enlistment in the
service of the United States. That your
Petitioner is entitled to the control of
the said minor, and that the said
minor is entitled to be discharged from
such ~~enlistment~~ ^{detention} and service. Your Pe-
titioner therefore prays your Honor to be
compelled to be issued ~~you~~ a writ of
Habeas Corpus commanding the said
Col. Somers and Capt. Robert Burns
to be and appear before the Hon^{ble}
Court with the said Henry M. Bennett
that the legality and course of ~~his~~
said detention may be inquired into

Mr. Spicer, in the matter of the
Petition of Andrew M. Bennett for
the writ of Habeas Corpus please
renew ~~and assess~~ the writ as against
Col. James or the officer in Command
of the 2nd ~~Mass~~ Regiment
Massachusetts Volunteers of the U.S. Army
and make the same returnable at 10
o'clock to-morrow morning.

Please also issue sum-
mons for Michael Rowan, Co. Police
officer, and Henry M. Hammer Teacher
Licks at academy to testify in the
writ of the Petitioner, returnable
at same time

A. S. Pudgey
for Petitioner